

AGENDA ITEM #

March 15, 2002

To: Delta Protection Commission

From: Margit Aramburu, Executive Director

Subject: H.R. 3554 (Ose), Legislation to Transfer Little Holland and Prospect Islands to the State of California.
(For Commission Consideration and Possible Action)

Staff Recommendation:

The Commission should review the draft bill (attached) and determine (1) should the Commission take a position on a federal bill; and (2) if yes, direct staff to prepare a comments letter outlining and recommended changes to the bill.

The Legislative Committee reviewed the bill and recommended consideration by the full Commission.

Background:

Little Holland Tract (1,640 acres), Solano and Yolo Counties, flooded in the late 1980's. several years of negotiations, the Army Corps of Engineers purchased the land from the private property owners in 1999. The Island is within the Yolo Bypass. The Island is flooded, some aquatic and riparian vegetation has grown on the site. There is no management or plan for the Island. Little Holland is within the study area of the U.S. Fish and Wildlife Service's proposed North Delta National Wildlife Refuge. No refuge boundary has been set.

Prospect Island (1,228 acres) was purchased by the Bureau of Reclamation in 1995. A plan by Corps of Engineers and the Department of Water Resources to breach the levee in two locations and restore the site to tidal action has been prepared and two environmental documents have been circulated. The restoration work has not yet started. The Island is within the original boundaries of the Yolo Bypass, and is still subject to a flood easement, although the Island is cutoff from the main portions of the Yolo Bypass by the Sacramento Deepwater Ship Channel and its two levees. Little Holland is within the study area of the U.S. Fish and Wildlife Service's proposed North Delta National Wildlife Refuge. No refuge boundary has been set.

Proposed Legislation:

Congressman Doug Ose introduced a bill on December 20, 2001 that would transfer Little Holland and Prospect Islands to the State, and requires the State to prepare a Management Plan with the assistance of an Advisory Board.

Management Plan:

The draft legislation states the Management Plan would:

- Provide that the primary purpose of the wildlife area is flood control.
- Provide for the perpetuation of the ecosystem of the wildlife area.
- Provide for the preservation, restoration and enhancement of natural ecosystems of all endangered or threatened plant and animal species in the wildlife area, and their habitat.
- Provide for high-quality, wildlife-related educational and recreational experiences.
- Encourage volunteers and partnerships among federal government, local communities, conservation organizations and other entities to promote awareness of the wildlife area and its resources.
- Provide scientific research opportunities.
- Plan and design trails in the wildlife area and public access points to those trails.
- Provide for hunting and fishing within the wildlife area.
- Provide for planning of wildlife and habitat restoration within the wildlife area.

The legislation specifically does not impact water use or water rights reserved or appropriated by the United States.

Advisory Board:

The nine-member Advisory Board would meet monthly in a public meeting to prepare the management plan. The members of the Advisory Board would include:

- Mayor of the City of West Sacramento
- Yolo County Board of Supervisors
- Solano County Board of Supervisors
- Solano County Farm Bureau
- Yolo County Farm Bureau
- The Mayor of the City of Rio Vista
- California Waterfowl Association
- North Delta Water Agency
- Delta Protection Commission

Commission Positions on Federal Legislation:

The Commission has never taken a position on federal legislation.

Commission Positions on State versus Federal Ownership:

The Commission has never supported one type of public ownership over another; the Commission has supported keeping Delta lands in private ownership.

The Commission did provide extensive comments to the Wildlife Conservation Board regarding its proposed acquisition of land in the upper Yolo Bypass. Those comments included:

- Coordinate the management plan with the Yolo County HCP planning process
- Retain water rights on the site within Yolo County
- Commit to a public process for development of the management plan, including participation by members of the Delta Protection Commission
- Coordinate the project with the CALFED Program's "Blueprint" for Ecosystem Restoration
- Pay fees in-lieu of property and other taxes and fees
- Lands currently in agriculture be maintained in agriculture until a management plan is adopted
- Prepare appropriate environmental documentation for adoption of the management plan
- Maintain the flood control capacity of the Yolo Bypass

It appears that many of these comments are similar to the conditions included in Congressman Ose's bill.